

Ordinance No. 2022-17

An ordinance amending Section 845 of the Minnetonka City Code, relating to nuisances, by adding a new Section 845.036, concerning storage of deicing material

The City of Minnetonka Ordains:

Section 1. Section 845 of the Minnetonka City Code is amended by adding a new section 845.036, as follows:

845.036. Improper Storage of Deicing Material.

1. Findings. The city council finds that the removal of snow and ice from roadways is essential to both public safety and to the local economy. In order to ensure public safety, the use of pavement deicing materials during and after winter storm events is a widely accepted means of keeping roadways passable. Pavement deicing is typically accomplished through the use of deicers containing chlorides (salt), which can be corrosive to vehicles, roadway surfaces, and bridges and has been found to have adverse effects on surface waters, ground water and to environmentally sensitive areas. The restoration of surface and ground water quality and ecosystems in such areas can be very difficult and costly, if not impossible, to rehabilitate once the events of contamination occur. One source of chloride entering the water is through spillage and washouts of deicing material that is stored for winter maintenance activities. The proper utilization and management of deicing materials is critical to ensure that the environmental impacts of related practices are reduced to the maximum extent possible.
2. Definitions. For purposes of this section the following words have the meanings specified below.
 - a. “deicing material” means any substance containing chloride used to melt snow and ice or used for its anti-icing effects.
3. Applicability. This section applies to all indoor and outdoor storage (temporary and permanent) of deicing material including salt piles, salt bag storage, and other storage of deicing materials on commercial, industrial, and institutional properties within the city.
4. Nuisance; responsible party. It is a public nuisance for the owner of commercial, industrial or institutional property in the city, or for the owner or operator of a business or nonprofit establishment on such property, to store deicing materials on the property in violation of this section.

The ~~stricken~~ language is deleted; the underlined language is inserted.

5. Requirements.
 - a. Indoor storage of deicing materials must be provided when feasible in order to prevent such materials from being affected by rain, snow and melt water.
 - b. All deicing materials stored outdoors must be covered at all times.
 - (1) When not using a permanent enclosure, a waterproof impermeable, flexible cover must be placed over all storage piles to protect against precipitation and surface water runoff. The cover must prevent runoff and leachate from being generated by the outdoor storage piles. The cover must be secured to prevent removal by wind or other storm events. Piles must be formed in a conical shape and covered as necessary to prevent leaching.
 - (2) Any roof leaks, tears or damage should be temporarily repaired during winter to reduce the entrance of precipitation. Permanent repairs must be completed prior to the next winter season.
 - (3) Tanks used for liquid deicing material storage must be dual wall contained, or if a single wall tank is used then a containment system must be in place surrounding the tank.
 - (4) Prepackaged material (e.g. sealed plastic bags) does not require a separate cover provided the packaging is free of tears or breaks.
 - c. Outdoor storage of deicing materials must be located on an impermeable surface.
 - d. Practices must be implemented in order to reduce exposure (e.g., sweeping, diversions, and/or containment) if there is spilled deicing material, or when transferring deicing material from one location to another.
6. Enforcement. A licensed police officer, the community development director, or an environmental health specialist may enforce the provisions of this section.
7. Abatement. A nuisance under this section may be abated according to the procedures in section 845.045 of this code.

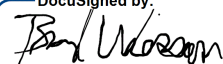
Section 2. A violation of this ordinance is subject to the penalties and provisions of Chapter 13 of the city code.

Section 3. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on October 24, 2022.

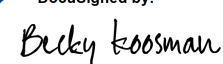
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Brad Wiersum, Mayor

Attest:

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Becky Koosman, City Clerk

Action on this Ordinance:

Date of introduction: Aug. 22 2022
Date of adoption: Oct. 24, 2022
Motion for adoption: Calvert
Seconded by: Kirk
Voted in favor of: Schaeppi, Coakley, Kirk, Schack, Wilburn, Calvert, Wiersum
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication: Nov. 10, 2022

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on Oct. 24, 2022

Becky Koosman, City Clerk

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